

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

AMERICAN PROCESS EQUIPMENT  
COMPANY, INC.,

Plaintiff,

v.

ATLANTIC MUTUAL INSURANCE  
COMPANY

Defendant.

Civil Action No. 04-10736 (NMG)

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41 (a)(1), American Process Equipment Company, Inc. and Atlantic Mutual Insurance Company hereby stipulate to dismissal with prejudice of all remaining claims in the above-captioned action, and without costs assessed against any party, each party to bear its own attorneys' fees, and any and all rights of appeal are hereby waived.

Respectfully submitted,

**PLAINTIFF,**  
**AMERICAN PROCESS EQUIPMENT**  
**COMPANY, INC.,**

By its attorneys,

/s/ Noah Rosmarin  
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**DEFENDANT,**  
**ATLANTIC MUTUAL INSURANCE**  
**COMPANIES,**

By its attorneys,

/s/ John R. Bauer  
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Dated: January 20, 2006